

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DANIEL ANACACY,

Plaintiff,

v.

PANERA, LLC, DOHERTY ENTERPRISES,
INC., DOHERTY BREADS, LLC and JOHN
DOE,

Defendants.

Case No. 2:19-cv-07126-ENV-RLM

**NOTICE OF MOTION TO DISMISS
PLAINTIFF'S COMPLAINT**

PLEASE TAKE NOTICE that Defendants Panera, LLC, The Doherty Group, Inc. d/b/a Doherty Enterprises (incorrectly captioned as “Doherty Enterprises, Inc.”), Doherty Breads, LLC and John Doe (collectively, “Defendants”), by their attorneys, will move this Court pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), before the Honorable Eric N. Vitaliano, at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York, on a date to be set by the Court, for an Order granting Defendants’ Motion to Dismiss Plaintiff’s Complaint, and for such other and further relief as may be just, proper and equitable. In support of this Motion, the undersigned will rely upon the (1) accompanying Memorandum of Law, (2) the Declaration of Dena B. Calo, (3) any affidavits, declarations, or memoranda replying to Plaintiff’s responsive papers; and (4) all pleadings in this action.

New York, New York
Dated: April 17, 2020

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